

House Bill 804 (AS PASSED HOUSE AND SENATE)

By: Representatives Greene of the 149th, Royal of the 171st, and Dukes of the 150th

A BILL TO BE ENTITLED
AN ACT

1 To create the South Georgia Regional Information Technology Authority, so as to provide
2 for communication systems projects in Baker, Calhoun, Early, Miller, and Mitchell counties;
3 to provide for a short title; to provide for definitions; to provide for membership; to provide
4 for a governing board and its terms, organization, vacancies, and meetings; to provide for the
5 powers and duties of the authority; to provide for services, procurement, and bonding; to
6 provide for revenue bonds and their form, interest rates, denominations, payment, signatures,
7 negotiability, exemption from taxation, sale, proceeds, interim bonds, and replacement; to
8 provide for conditions for issuance of bonds and that they will not constitute certain debts;
9 to provide for trust indentures, sinking fund, and payment of proceeds; to provide for
10 bondholder remedies and interests, refunding bonds, venue and jurisdiction, and bond
11 validation; to provide for trust funds, charges, rules and regulations, and other reports; to
12 provide for tax exemptions; to provide for supplemental powers, liberal construction, and
13 powers of other governmental entities; to provide for tort immunity; to provide for related
14 matters; to repeal conflicting laws; and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

16 **SECTION 1.**

17 This Act shall be known and may be cited as the "South Georgia Regional Information
18 Technology Authority Act."

19 **SECTION 2.**

20 (a) As used in this Act, the term:

21 (1) "Authority" shall mean the South Georgia Regional Information Technology
22 Authority created by Section 3 of this Act.

23 (2) "Cost of the project" means the cost of planning, design, and construction, the cost
24 of all lands, properties, rights, easements, and franchises acquired, the cost of all
25 buildings, machinery and equipment, financing charges, interest prior to and during

1 construction, and for one year after completion of construction, cost of compliance with
2 environmental regulations and environmental protection, cost of engineering,
3 architectural, fiscal, and legal expenses, cost of plans and specifications, and other costs
4 necessary or incident to determining the feasibility or practicability of any project,
5 administrative costs, and such other costs as may be necessary or incident to the financing
6 authorized in this Act, the construction of any project, the placing of the same in
7 operation, and the condemnation of property necessary for such construction and
8 operation. Any obligation or cost incurred for any of the foregoing purposes shall be
9 regarded as a part of the cost of the project and may be paid or reimbursed as such out of
10 the proceeds of revenue bonds, certificates, or other obligations issued under the
11 provisions of this Act for such project.

12 (3) "Project" means and includes the planning, design, acquisition, construction, and
13 equipping of communication cables, sleeves, and systems for the distribution and sale of
14 communication services to private and public users and consumers, including but not
15 limited to broadband, Internet, cable television, and associated services to the state,
16 counties, and municipalities, within the territorial boundaries of Baker, Calhoun, Early,
17 Miller, and Mitchell counties, and additions and improvements to and extensions of such
18 facilities and the operation and maintenance of same.

19 (4) "Public authority" means any entity which is created by the laws of the State of
20 Georgia, which is designated as an authority, and which provides services or facilities to
21 the public.

22 (5) "Revenue bonds" and "bonds" shall mean revenue bonds, certificates, and other
23 obligations of the authority, as defined and provided for in Article 3 of Chapter 82 of
24 Title 36 of the O.C.G.A., the "Revenue Bond Law," and such type of obligations may be
25 issued by the authority as authorized under said article. In addition, such terms shall also
26 mean obligations of the authority, the issuance of which is specifically provided for in
27 this Act.

28 (6) "State" means the State of Georgia.

29 (b) Any project shall be deemed self-liquidating if, in the judgment of the authority, the
30 revenues and earnings to be derived by the authority therefrom will be sufficient to pay the
31 costs of operating, maintaining, repairing, improving, and extending the project and to pay
32 the principal and interest of the revenue bonds which may be issued for the cost of such
33 project or projects.

34 SECTION 3.

35 (a) There is created a body corporate and politic, to be known as the South Georgia Regional
36 Information Technology Authority, which shall be a political subdivision of the state and a

1 public corporation and by that name, style, and title said body may contract and be contracted
2 with, bring and defend actions, sue and be sued, implead and be impleaded, and complain
3 and defend in all courts. The authority shall make rules and regulations for its own
4 government and shall have perpetual existence.

5 (b) The authority shall consist of 11 members as follows:

6 (1) Two residents of Baker County appointed by the governing authority of Baker
7 County;

8 (2) Two residents of Calhoun County appointed by the governing authority of Calhoun
9 County;

10 (3) Two residents of Early County appointed by the governing authority of Early County;

11 (4) Two residents of Miller County appointed by the governing authority of Miller
12 County;

13 (5) Two residents of Mitchell County appointed by the governing authority of Mitchell
14 County; and

15 (6) One appointed by the other members of the authority.

16 Each member shall serve for a four-year term and until a successor is appointed and
17 qualified, except for the members initially appointed as provided by this Act. The initial
18 members appointed under paragraphs (1), (3), and (5) of this subsection shall serve for terms
19 of four years each and until their successors are appointed and qualified. The initial members
20 appointed under paragraphs (2), (4), and (6) of this subsection shall serve for terms of two
21 years each and until their successors are appointed and qualified.

22 (c) Any member of the authority may be selected and appointed to succeed himself or
23 herself. Immediately after such appointments and ratification, the members of the authority
24 shall enter upon their duties. Any vacancy on the authority shall be filled by appointment
25 by the entity originally appointing the member whose termination of membership resulted
26 in such vacancy, and the person so appointed and ratified shall serve for the remainder of the
27 unexpired term. The authority shall elect one of its members as chairperson and another as
28 vice chairperson. The authority shall also elect a secretary and a treasurer or a
29 secretary-treasurer, each of which does not necessarily have to be a member of the authority;
30 and if not a member he or she shall have no voting rights. Each member of the authority
31 shall be reimbursed for all actual expenses incurred in the performance of his or her duties.

32 (d) Six members of the authority shall constitute a quorum, and any action may be taken by
33 the authority upon the affirmative vote of a majority of a quorum of the members; provided,
34 however, that the approval for the matters set forth in subsection (e) of this section shall
35 require the affirmative vote of at least five members of the authority. No vacancy on the
36 authority shall impair the right of the quorum to exercise all the rights and perform all the
37 duties of the authority.

(e) The matters requiring five affirmative votes for approval are as follows:

- (1) Amending the bylaws of the authority;
- (2) The purchase, sale, lease, exchange, or other disposition of real property;
- (3) Issuance of revenue obligations or revenue bonds; or
- (4) Authorization of projects or undertakings as those terms are defined herein and in Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law."

SECTION 4.

The authority is authorized:

- (1) To have a seal and alter the seal at pleasure;
- (2) To acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real and personal property of every kind and character for its corporate purposes;
- (3) To acquire in its own name by purchase on such terms and conditions and in such manner as it may deem proper, or by condemnation in accordance with the provisions of any and all existing laws applicable to the condemnation of property for public use, real property, rights, or easements therein or franchises necessary or convenient for its corporate purposes, to use the same so long as its corporate existence shall continue, and to lease or make contracts with respect to the use of or to dispose of the same in any manner deemed by the board to be to the best advantage of the authority, the authority being under no obligation to accept and pay for any property condemned under this Act except from the funds provided to the authority under this Act; and in any proceedings to condemn, such orders may be made by the court having jurisdiction of the suit, action, or proceedings as may be just to the authority and to the owners of the property to be condemned; and no property shall be acquired under the provisions of this Act upon which any lien or other encumbrance exists, unless at the time such property is so acquired a sufficient sum of money is deposited in trust to pay and redeem the fair value of such lien or encumbrance. If the authority shall deem it expedient to construct any project on any lands the title to which shall then be in Baker, Calhoun, Early, Miller, or Mitchell County or in any municipality incorporated in any such county, the governing authority or body of such county or of any of such municipality is hereby authorized to convey title to such lands to the authority upon payment for the credit of the general funds of such county or municipality the reasonable value of such lands. The authority shall have the nonexclusive right, easement, and franchise of laying communication cables along the highways in Baker, Calhoun, Early, Miller, or Mitchell County, or in the corporate limits of any municipality incorporated in any such county, without cost; provided, however, that the authority shall repair all damage done by the authority by reason thereof;

1 (4) To appoint, select, and employ officers, agents, and employees, including
2 engineering, architectural, construction, and experts, fiscal agents, attorneys, and other
3 professionals and fix their respective compensation;

4 (5) To make contracts and leases and to execute all instruments necessary or convenient
5 to carry out the purposes of this Act, including contracts for construction of projects and
6 leases of projects or contracts with respect to the use of projects which it causes to be
7 constructed or acquired, and any and all persons, firms, and corporations and any and all
8 political subdivisions, departments, institutions, or agencies of the state are authorized to
9 enter into contracts, leases, or agreements with the authority upon such terms and for such
10 purposes as they deem advisable; and without limiting the generality of the above,
11 authority is specifically granted to the authority to enter into contracts, lease agreements,
12 or other undertakings relative to the furnishing of services and facilities by the authority
13 to such municipal corporations, counties, political subdivisions, corporations, or
14 individuals for a term not exceeding 50 years;

15 (6) To plan, design, construct, erect, acquire, own, lease, repair, remodel, maintain, add
16 to, extend, improve, equip, operate, and manage projects as defined in paragraph (3) of
17 subsection (a) of Section 2 of this Act, the cost of any such project to be paid in whole
18 or in part from the proceeds of revenue bonds of the authority, from revenues available
19 from contracting for services, or from such proceeds and any grant from the United States
20 of America, the State of Georgia, or any agency or instrumentality thereof; provided,
21 however, that in delivering cable service the authority shall comply with applicable
22 provisions of Chapter 90 of Title 36 of the O.C.G.A., the "Local Government Cable Fair
23 Competition Act of 1999";

24 (7) To accept loans and grants of money, materials, or property of any kind from the
25 United States of America, the State of Georgia, or any political subdivision, agency, or
26 instrumentality thereof upon such terms and conditions as the United States of America,
27 the State of Georgia, or such political subdivision, agency, or instrumentality may
28 impose;

29 (8) To borrow money for any of its corporate purposes, to issue revenue bonds payable
30 solely from funds pledged for that purpose; and to provide for the payment of the same
31 and for the rights of the holders thereof;

32 (9) To exercise any power which is usually possessed by private corporations performing
33 similar functions and which is not in conflict with the Constitution and laws of this state;

34 (10) To purchase policies of insurance as may be deemed appropriate for its corporate
35 purposes;

36 (11) To apply for and accept any and all local, state, or federal permits necessary and
37 convenient for its corporate purposes;

1 (12) To appoint a technical advisory group or such other committees as circumstances
2 might require; and

3 (13) To do all things necessary or convenient to carry out the powers expressly given in
4 this Act.

5 **SECTION 5.**

6 The authority shall adopt regulations and requirements for the procurement of goods and
7 services as are reasonable and necessary and consistent with requirements of state law.

8 **SECTION 6.**

9 The authority shall adopt regulations and requirements to bonds from contractors who are
10 awarded contracts by the authority as are reasonable and necessary and consistent with
11 requirements of state law.

12 **SECTION 7.**

13 The authority, or any public authority or body which had or which may in the future succeed
14 to the powers, duties, and liabilities vested in the authority created by this Act, is authorized,
15 at one time or from time to time, to provide by resolution for the issuance of revenue bonds
16 of the authority for the purpose of paying all or any part of the cost of any one or more
17 projects. The principal and interest of such revenue bonds shall be payable solely from the
18 special fund provided in Section 19 of this Act for such payment. The bonds of each issue
19 shall be dated, shall bear interest at such rate or rates, shall be payable, shall mature at such
20 time or times not to exceed 50 years from their date or dates, shall be payable in such
21 medium of payment as to both principal and interest, and may be made redeemable before
22 maturity, at such price or prices, and under such terms and conditions as may be determined
23 by the authority in the resolution providing for the issuance of the bonds.

24 **SECTION 8.**

25 The authority shall determine the form of the bonds and shall fix the interest rates,
26 denomination or denominations of the bonds, and the place or places of payment of principal
27 and interest thereof, which may be at any bank or trust company inside or outside the state.
28 The bonds may be issued in bearer or registered form, or both, as the authority may
29 determine, and provision may be made for the registration of any bond as to principal alone
30 or also as to both the principal and interest.

SECTION 9.

All revenue bonds shall bear the manual or facsimile signature of the chairperson of the authority and attested by the manual or facsimile signature of the secretary of the authority and the official seal of the authority or a facsimile thereof shall be affixed thereto, and any coupons attached thereto shall bear the facsimile signatures of the chairperson and secretary of the authority. Any coupon may bear the facsimile signatures of such persons and any bond may be signed, sealed, and attested on behalf of the authority by such person as at the actual time of the execution of such bonds shall be duly authorized or hold the proper office, although at the date of such bonds such persons may not have been so authorized or shall not have held such office. In the event an officer whose signature appears on any bonds or coupon ceases to be such officer before delivery of such bonds, such signature shall nevertheless be valid and sufficient for all purposes the same as if the officer had remained in office until such delivery.

SECTION 10.

All revenue bonds issued under this Act shall have and are declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the state. Such bonds and the income thereof shall be exempt from all taxation within this state.

SECTION 11.

The authority may sell such bonds in such a manner and for such price as it may determine to be for the best interest of the authority, but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at a greater rate than the interest allowed by Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law," computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, excluding, however, from such computation the amount of any premium to be paid on redemption of any bond prior to maturity.

SECTION 12.

The proceeds of such bonds shall be used solely for the payment of the cost of the project or projects and, unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture, additional bonds may be issued in like manner to provide the amount of such deficit, which, unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture, shall be deemed to be of the same fund without preference or priority of the bonds first issued for the same purpose.

SECTION 13.

Prior to the preparation of definitive bonds, the authority may issue interim receipts, interim certificates, or temporary bonds, with or without coupons exchangeable for definitive bonds upon the issuance of the later.

SECTION 14.

The authority may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost.

SECTION 15.

Such revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings, conditions, and things which are specified or required by this Act. In the discretion of the authority, revenue bonds of a single issue may be issued for the purpose of any particular project. Any resolution providing for the issuance of revenue bonds under this Act shall become effective immediately upon its passage and need not be published or posted, and any such resolution may be passed at any regular or special or adjourned meeting of the authority by its board member at any meeting where a quorum is present and voting requirements are met.

SECTION 16.

Revenue bonds issued under the provisions of this Act shall not be deemed to constitute a debt of this state, or any county or municipality thereof, or any public authority except the authority created by this Act, nor shall such bonds be deemed a pledge of the faith and credit of this state, any county or municipality thereof, or any public authority except the authority created by this Act, but such bonds shall be payable solely from the fund provided for in this Act; and the issuance of such revenue bonds shall not directly, indirectly, or contingently obligate this state, or any county or municipality thereof, to levy or to pledge any form of taxation whatever therefor or to make any appropriation for the payment of such bonds; and all such bonds shall contain recitals on their face covering substantially the foregoing provisions of this section.

SECTION 17.

In the discretion of the authority, any issue of such revenue bonds may be secured by a resolution or a trust indenture by and between the authority and a corporate trustee, which may be any foreign or domestic trust company or bank having the powers of a trust company. Such resolution or trust indenture may pledge or assign fees, tolls, revenues, and earnings to be received by the authority. Either the resolution providing for the issuance of revenue

1 bonds or such trust indenture may contain such provisions for protecting and enforcing the
2 rights and remedies of the bondholders as may be reasonable and proper and not in violation
3 of law, including covenants setting forth the duties of the authority in relation to the
4 acquisition of property, the construction of the project, the maintenance, operation, repair,
5 and insurance of the project, and the custody, safeguarding, and application of all moneys
6 and may also provide that any project shall be constructed and paid for under the supervision
7 and approval of registered professional consulting engineers of the State of Georgia or
8 architects employed or designated by the authority and satisfactory to the original purchasers
9 of the bonds issued therefor and may also require that the security given by contractors and
10 by any depository of the proceeds of the bonds or revenues or other moneys be satisfactory
11 to such purchasers and may also contain provisions concerning the conditions, if any, upon
12 which additional revenue bonds may be issued. It shall be lawful for any bank or trust
13 company incorporated under the laws of this state to act as such depository and to furnish
14 such indemnifying bonds or pledge such securities as may be required by the board. Such
15 resolution or trust indenture may set forth the rights and remedies of the bondholders and of
16 the trustee and may restrict the individual right of action of bondholders as is customary in
17 resolution or trust indentures securing bonds and debentures of corporations. In addition to
18 the foregoing, such resolution or trust indenture may contain such other provisions as the
19 board may deem reasonable and proper for the security of the bondholders. All expenses
20 incurred in carrying out such resolution or trust indenture may be treated as a part of the cost
21 of maintenance, operation, and repair of the project affected by such indenture.

22 **SECTION 18.**

23 In the resolution providing for the issuance of revenue bonds or in the trust indenture, the
24 authority shall provide for the payment of the proceeds of the sale of the bonds to any officer
25 or person who, or any agency, bank, or trust company which, shall act as trustee, custodian,
26 or depository of such funds and shall hold and apply the same to the purposes for which such
27 bonds were issued, subject to such regulations as this Act and such resolution or trust
28 indenture may provide.

29 **SECTION 19.**

30 The revenues, fees, and earnings derived from any particular project or projects, regardless
31 of whether or not such fees, earnings, and revenues were produced by a particular project for
32 which bonds have been issued unless otherwise pledged and allocated, may be pledged and
33 allocated by the authority to the payment of the principal and interest on revenue bonds of
34 the authority as the resolution authorizing the issuance of the bonds or the trust instrument
35 may provide; and such funds so pledged from whatever source received, which said pledge

1 may include funds received from one or more or all sources, shall be set aside at regular
2 intervals, as may be provided in the resolution or trust indenture, into a sinking fund, which
3 sinking fund shall be pledged to and charged with the payment of:

- 4 (1) The interest upon such revenue bonds as such interest shall fall due;
- 5 (2) The principal of the bonds as the same shall fall due;
- 6 (3) The necessary charges of paying agents for paying principal and interest; and
- 7 (4) Any premium upon bonds retired by call or purchase as provided in this Act.

8 The use and disposition of such sinking fund shall be subject to such regulations as may be
9 provided in the resolution authorizing the issuance of the revenue bonds or in the trust
10 indenture, except as may otherwise be provided in such resolution or trust indenture. Such
11 sinking fund shall be a fund for the benefit of all revenue bonds without distinction or
12 priority of one over another. Subject to the provisions of the resolution authorizing the
13 issuance of the bonds or the trust indenture, surplus moneys in the sinking fund may be
14 applied to the purchase or redemption of bonds. Any such bonds so purchased or redeemed
15 shall forthwith be canceled and shall not again be issued.

16 **SECTION 20.**

17 Any holder of revenue bonds issued under this Act or any coupons appertaining thereto and
18 the trustee under the trust indenture, if any, except to the extent the rights given in this Act
19 may be restricted by the resolution passed before the issuance of the bonds or by the trust
20 indenture, may, either at law or in equity, by suit, action, mandamus, or other proceedings,
21 protect and enforce any and all rights under the laws of the State of Georgia or granted under
22 this Act or under such resolution or trust indenture and may enforce and compel performance
23 of all duties required by this Act or by such resolution or trust indenture, and may enforce
24 and compel performance of all duties required by this Act or by such resolution or trust
25 indenture to be performed by the authority or any officer thereof, including the fixing,
26 charging, and collecting of revenues, fees, tolls, and other charges for the use of the facilities
27 and services furnished.

28 **SECTION 21.**

29 The authority is authorized to provide by resolution of its board for the issuance of revenue
30 refunding bonds of the authority for the purpose of funding or refunding any revenue bonds
31 issued under this Act and then outstanding, together with accrued interest and premium, if
32 any, thereon. The issuance of such revenue funding or refunding bonds, the maturities, all
33 other details thereof, the rights of the holders, and the duties of the authority with respect to
34 the same shall be governed by the foregoing provisions of this Act insofar as the same may
35 be applicable.

SECTION 22.

Any action to protect or enforce any rights under this Act or any suit or action against the authority shall be brought in the Superior Court of Baker, Calhoun, Early, Miller, or Mitchell County, Georgia, and any action pertaining to validation of any bonds issued under this Act shall likewise be brought in said court, which shall have exclusive jurisdiction of such actions.

SECTION 23.

Bonds of the authority shall be confirmed and validated in accordance with the procedure of Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law." The petition for validation shall also make a party defendant to such action any municipality, county, public authority, subdivision, or instrumentality of the State of Georgia which has contracted with the authority for furnishing or receiving the services and facilities of the project for which bonds are to be issued and sought to be validated, and such municipality, county, public authority, subdivision, or instrumentality shall be required to show cause, if any, why such contract or contracts and the terms and conditions thereof should not be inquired into by the court, the validity of the terms thereof be determined, and the contract or contracts adjudicated as security for the payment of any such bonds of the authority. The bonds, when validated, and the judgement of validation, shall be final and conclusive with respect to such bonds against the authority issuing the same and any municipality, county, public authority, subdivision, or instrumentality contracting with the authority.

SECTION 24.

While any of the bonds issued by the authority remain outstanding, the powers, duties, or existence of the authority or of its officers, employees, or agents shall not be diminished or impaired in any manner that will affect adversely the interests and right of the holders of such bonds, and no other entity, department, agency, or public authority will be created which will compete with the authority to such an extent as to affect adversely the interests and rights of the holders of such bonds nor will the state itself so compete with the authority. The provisions of this Act shall be for the benefit of the authority and the holders of any such bonds and, upon the issuance of bonds under the provisions of this Act, shall constitute a contract with the holders of such bonds.

SECTION 25.

All moneys received by the authority pursuant to this Act, whether as proceeds from the sale of revenue bonds, as grants, or other contributions, or as revenues, fees, and earnings, shall be deemed to be trust funds to be held and applied solely as provided in this Act.

SECTION 26.

The authority is authorized to prescribe, fix, and collect rates, fees, or charges and to revise from time to time and collect such rates, fees, or charges for the services, facilities, or commodities furnished and, in anticipation of the collection of the revenues of such undertaking or project, to pay from current revenues and issue revenue bonds as provided in this Act to finance in whole or in part the cost of the project and to pledge to the punctual payment of said bonds and interest thereon all or any part of the revenues of such undertakings or projects, including the revenues of improvements, betterments, or extensions subsequently made to the system.

SECTION 27.

It shall be the duty of the board to prescribe rules and regulations for the operation of the project or projects constructed under the provisions of this Act, including the basis on which communication services and facilities shall be furnished.

SECTION 28.

It is found, determined, and declared that the creation of the authority and the carrying out of its corporate purposes are in all respects for the benefit of the people of this state and constitute a public purpose and that the authority will be performing an essential governmental function in the exercise of the powers conferred upon it by this Act. The authority therefore shall be required to pay no taxes or assessment upon any of the property acquired by it or under its jurisdiction, control, possession, or supervision or upon its activities in the operation or maintenance of the facilities erected, maintained, or acquired by it or any fees, rentals, or other charges for the use of such facilities or other income received by the authority.

SECTION 29.

The foregoing sections of this Act shall be deemed to provide an additional and alternative method for doing the things authorized thereby, shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as being in derogation of any powers now existing.

SECTION 30.

This Act, being for the welfare of various political subdivisions of the state and its inhabitants, shall be liberally construed to effect the purposes hereof.

SECTION 31.

This Act does not in any way take from Baker, Calhoun, Early, Miller, or Mitchell County or any municipality located within any such county the power to own, operate, and maintain communications systems or issue revenue certificates as is provided by Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law."

SECTION 32.

The authority shall be immune and exempt from liability for torts and negligence to the same extent as Baker, Calhoun, Early, Miller, and Mitchell counties; and the officers, agents, and employees of the authority, when in the performance of the work of the authority, shall be immune and exempt from liability for torts and negligence to the same extent as employees of such counties.

SECTION 33.

All laws and parts of laws in conflict with this Act are repealed.